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Agee allegation is wrong

Agents' disclosure bill a threat

To the Editor:

Your recent editorial, "Agents' disclosure bill must address intent issue," contains some misunderstandings, which we, as one target of the proposed legislation, wish to answer.

First, the CovertAction Information Bulletin is not "the work of a renegade, ex-CIA agent Philip Agee." Mr. Agee has on occasion written an article for the bulletin, but has nothing to do with the production of the magazine or with the "Naming Names" column. The three of us who publish it are journalists who never have worked for the U.S. government and do our research entirely from unclassified materials.

With respect to the bill's language, you place too much reliance on the efficacy of an intent clause. For one thing, no matter what one's intent, should the government be able to criminalize the publication by private citizens of unclassified material gleaned from unclassified sources? For another thing, it is common knowledge that the CIA takes the position that any disclosure of any information about the agency impedes its activities, and all journalists know this.

How could one disclose anything and claim that one did not think it would, to some degree, impair or impede the functions of the CIA?

The alleged protection of the intent clause in the proposed legislation affords no protection at all. It is little comfort that the House version of the bill is slightly less unconstitutional than the Senate version.

Unfortunately, many people do not realize the grave threat to freedom of the press and to everyone's First Amendment right of free speech that this bill represents. The bill's very name is misleading, since it does not only cover identities of intelligence personnel, but speaks about "information that identifies" an undercover source or operative. Any journalist or historian knows it is impossible to write about intelligence matters without treading on the thin ice that the bill's broad language creates.

Our current issue is 56 pages in length, of which 1 1/4 pages make up the "Naming Names" column, researched entirely from unclassified information found in the public domain. If all we did was publish the CIA names, without any discussion of what the CIA is

doing around the world in its many-faceted covert action programs — intervening secretly in the affairs of sovereign nations via bribery, extortion, corruption, buying of elections, recruitment of local persons to work for the CIA against their countries or via arson, bombing, mercenary and paramilitary groups, torture training or assassination — then, perhaps, we could not justify our publication. The CIA is accountable for its actions done in the name of the American people and with the people's tax monies.

This bill originally was written in 1978 by the CIA, not by Congress. Despite the minor technical modifications made since that time, it still represents an underhanded attempt to create an official secrets act in this country. The CIA seeks, through this bill and other initiatives, to widen the wall of secrecy that for so many years has kept the American people in the dark about its illegal activities and secret interventions.

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